

REMARKS

Claims 1-12 are pending in the application and are rejected under 35 U.S.C. § 103(a) as obvious in view U.S. Patent No. 4,324,173 to Moore et al. ("Moore") in view of U.S. Patent No. 6,365,046 to Burke ("Burke"). Applicants respectfully traverse because the combination does not disclose or suggest all of the limitations of independent claim 1, let alone dependent claims 2-12. Specifically, neither Moore nor Burke discloses or suggests a return for drawing filtered oil from a filter pan that includes a take up pipe with a first end releasably coupled to a filter with a swivel mounting. Moore does not include this structure. In contrast, Moore discloses a filter system that with a return conduit (62) between the fry pot (14) and the drain pan (20). The return conduit is fluidly connected to a return header in fluid communication with at least two fry pots (14, 16) and includes manual or electric valves to selectively allow oil flow from the drain pan to the fry pot.

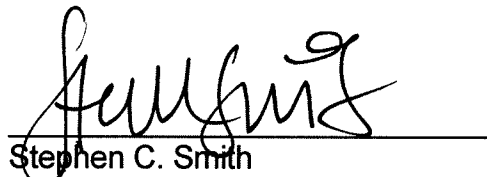
Moore does not provide any disclosure that the return conduit is anything but disposed in a fixed manner to Moore's console (12). FIGs. 1 and 4 provide views of the return conduit, with the outlet port (92) of the first coupling member (88) oriented to connect with the receiver (95) to automatically connect the pump (64) to the drain coupling when the drain pan (20) and filter pan (78) are installed. From viewing the figures, it appears that the only possible connection is between the drain pan and associated piping and the receiver is made when the drain pan and filter pan are translated toward the receiver. Because there are no other connections for the return conduit that are disclosed or suggested in Moore, Moore cannot rationally be considered to disclose the claimed swivel mounting. See Moore, col. 5, ll. 11-35.

Burke does not disclose or suggest the claimed structure, but discloses a waste grease removal device that includes a fixed network of pipes and does not disclose or suggest a pipe with an end swivel mounted to the filter. FIG. 1 shows the pump (20), suction line (26), and pressure line (28) provided within a container (10) that assures that these components are rigidly mounted. See Burke, col. 2, ll. 60-64. The intake assembly (40) is connected to the suction line. While the intake assembly is flexible

take suction from different sources of oil, the intake assembly is connected at a consistent location to the container, and therefore a swivel mounting is neither disclosed nor suggested in Burke. Because the combination of Moore and Burke neither discloses or suggests all of the limitations of this claim, Applicants respectfully request that this rejection be withdrawn.

Claims 1-12 are patentable. Applicants respectfully request the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorney for Applicants via telephone at (312) 222-8124 if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen C. Smith", is written over a horizontal line.

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